

To: Butts, Sally[sbutts@blm.gov]
Cc: Nikki Moore[nmoore@blm.gov]; Fisher, Timothy[tjfisher@blm.gov]
From: Loosle, Byron
Sent: 2017-05-19T08:13:00-04:00
Importance: Normal
Subject: Re: Assistance with Executive Order on Monuments Review
Received: 2017-05-19T08:13:10-04:00
New information requested on EO 13792 Monuments Review 240 comments.docx

Sally,
I answered the question. I also added an example from a question lower down that people might not think about, which may or may not be appropriate.
Byron

Byron Loosle, PhD
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On Thu, May 18, 2017 at 7:48 PM, Butts, Sally <sbutts@blm.gov> wrote:

Bryon,
We need some assistance from WO240 on an additional question we received from DOI in our assignment to respond to the Executive Order on the Review of Designations Under the Antiquities Act.

The attachment question (b) asks if there are any "alternative options available for protection of resources applicable at each monument, such as Native American Graves Protection and Repatriation Act, Paleontological Resources Preservation Act, Archaeological Resources Protection Act, Historic Preservation Act and agency-specific laws and regulations."

Can WO240 provide a response to question (b) that is applicable to Bears Ears and Grand Staircase-Escalante National Monuments? You can insert your response into the attachment and email back to me and I'll compile with the responses to the other questions that Utah State Office is addressing.

If at all possible, can you provide your response by tomorrow (5/19)?

Thanks so much for your help and my apologies for the short turnaround.

Sally

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Sally R. Butts, J.D., Acting Division Chief
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**New information requested on Executive Order on the Review
of Designations Under the Antiquities Act**

- a) Any legislative language, including legislation in appropriations bills

[Utah: WO410 will address this question]

- b) alternative options available for protection of resources applicable at each monument, such as Native American Graves Protection and Repatriation Act, Paleontological Resources Preservation Act, Archaeological Resources Protection Act, Historic Preservation Act and agency specific laws and regulations.

National Historic Preservation Act, (NHPA)

Native American Graves Protection and Repatriation Act, (NAGPRA)

Paleontological Resources Preservation Act, (PRPA)

Archaeological Resources Protection Act, (ARPA)

American Indian Religious Freedom Act (AIRFA)

[Utah: WO410 will address this question]

- c) designated wilderness areas (name, acreage), wilderness study areas (name if there is one, acreage, type), and/or areas managed to preserve wilderness or roadless characteristics but not formal study area. Please note if there are none in any given monument so there is no question

[Utah: please address]

- d) outstanding RS 2477 claims within a monument type of road claimed and history

[Utah: please address]

- e) maps

[Utah: please include best available map as attachment]

- f) cultural or historical resources, particularly Tribal, located near a monument but not within the boundary that might benefit from inclusion in the monument

Although not a part of NAGPRA, in a few cases the BLM has been asked to reburial ancient human remains on BLM managed lands after repatriation under NAGPRA. Often in these cases Monuments or other specially designated lands were selected for reburial because of the ability to protect from future land disturbance.

[Utah: please address]

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Commented [LBN1]: We discourage tribes from considering reburying on lands we have limited ability to guarantee they will not be disturbed.

g) other suggestions for potentially useful information from HQ or field staff welcome

[Utah: WO410 will address this question]

5. Public comment update

[Utah: WO410 will address this question]

6. Other general questions or comments

[Utah: please include any additional information, if any, that you think should be considered in this review]